

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

)  
IN RE PHARMACEUTICAL INDUSTRY )  
AVERAGE WHOLESALE PRICE ) MDL NO. 1456  
LITIGATION ) Civil Action No. 01-12257-PBS  
)  
)  
THIS DOCUMENT RELATES TO ) Hon. Patti B. Saris  
01-CV-12257-PBS AND 01-CV-339 )  
)

**MOTION FOR LEAVE TO FILE UNDER SEAL**

Johnson & Johnson, Ortho Biotech Products, L.P., and Centocor, Inc. (the “Johnson & Johnson Defendants”), by their attorneys, respectfully move this Court for leave to file the following documents under seal:

1. The Johnson & Johnson Defendants’ Reply Memorandum in Support of Their Motion for Summary Judgment as to Class 1 and Class 2;
2. Reply Declaration of Andrew D. Schau in Support of The Johnson & Johnson Defendants’ Motion for Summary Judgment and in Opposition to Plaintiffs’ Request for Additional Discovery Pursuant to Rule 56(f)

Pursuant to the Protective Order entered by this Court on December 13, 2002 (the “MDL Protective Order”), the parties in the above captioned cases have designated many documents and other information produced in these cases as either “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL.” The above-listed documents incorporate—either directly or indirectly—some discovery information that plaintiffs designated “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL” and some discovery information that the Johnson & Johnson Defendants designated “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL.” Pursuant to paragraph 15 of

the MDL Protective Order, any document or pleading containing quotes from or otherwise referencing such information shall be filed under seal.

WHEREFORE, the Johnson & Johnson Defendants respectfully request that this Court grant it leave them leave to file the above-listed documents under seal.

Dated: April 28, 2006

/s/ Andrew D. Schau.

William F. Cavanaugh, Jr.

Andrew D. Schau

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**CERTIFICATION PURSUANT TO LOCAL RULE 7.1**

Pursuant to Local Rule 7.1(A)(2), the undersigned certifies that I conferred with counsel for plaintiffs and was advised that plaintiffs do not consent to this motion.

/s/ Andrew D. Schau  
Andrew D. Schau

**CERTIFICATE OF SERVICE**

I certify that on April 28, 2006 a true and correct copy of the foregoing MOTION FOR LEAVE TO FILE UNDER SEAL was served on all counsel via Lexis/Nexis.

/s/ Andrew D. Schau  
Andrew D. Schau